

Sierra County Board of Supervisors' Agenda Transmittal & Record of Proceedings

MEETING DATE:
September 4, 2018

TYPE OF AGENDA ITEM:
☒ Regular ☐ Timed
☐ Consent

DEPARTMENT: County Counsel
APPROVING PARTY: David Prentice
PHONE NUMBER: 559-500-1600

AGENDA ITEM: Introduction and first reading of an ordinance repealing Sierra County Code Section 2.04.090 and replacing with a revised Board of Supervisors travel policy.

SUPPORTIVE DOCUMENTS ATTACHED: ☐ Memo ☐ Resolution ☐ Agreement ☒ Other
Ordinance

BACKGROUND INFORMATION: Recently issues regarding the interpretation of Board of Supervisor policy regarding Board member travel has come to the attention of County Counsel. In an effort to resolve the prospect of differing interpretations of the policy a complete re-write was undertaken. If approved by the Board, the proposed ordinance will establish clear rule of conduct for Board member travel and claims for reimbursement. County Counsel recommends approve waiver of first reading and set second meeting for adoption.

FUNDING SOURCE:
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: \$ N/A

ARE ADDITIONAL PERSONNEL REQUIRED?

☐ Yes, -- --
☒ No

IS THIS ITEM ALLOCATED IN THE BUDGET? ☒ Yes ☐ No

IS A BUDGET TRANSFER REQUIRED? ☐ Yes ☒ No

SPACE BELOW FOR CLERK'S USE

BOARD ACTION:

- ☐ Approved
- ☐ Approved as amended
- ☐ Adopted
- ☐ Adopted as amended
- ☐ Denied
- ☐ Other
- ☐ No Action Taken

- ☐ Set public hearing
For: _____
- ☐ Direction to: _____
- ☐ Referred to: _____
- ☐ Continued to: _____
- ☐ Authorization given to: _____

Resolution 2018- _____
Agreement 2018- _____
Ordinance _____
Vote:
Ayes:
Noes:
Abstain:
Absent:
☐ By Consensus

COMMENTS:

CLERK TO THE BOARD

DATE

**BOARD OF SUPERVISORS
COUNTY OF SIERRA
STATE OF CALIFORNIA
ORDINANCE 2018-___**

**ORDINANCE OF THE SIERRA COUNTY BOARD OF SUPERVISORS
ESTABLISHING REPEALING SIERRA COUNTY CODE SECTION 2.03.090 AND
REPLACING WITH A REVISED BOARD TRAVEL POLICY**

WHEREAS, Section 2.03.090 of the Sierra County Code has established a limited Board Travel Policy, which the Board now seeks to enhance;

WHEREAS, Government Code 53232.2 and 53232.3 requires that the County place certain restrictions on the use of government funds, including for travel.

THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA DO ORDAINS AS FOLLOWS:

Section I: Section 2.04.090 of the Sierra County Code is repealed in their entirety and replaced with the following:

I. GENERAL POLICY.

The Board of Supervisors shall establish a budget with expenditure levels for Board of Supervisor travel.

- A. Travel shall be authorized only when the travel is in the best interest of the County.
- B. Government Code sections 53232.2 and 53232.3 are adopted by reference.
- C. Travel arrangements should be as economical as practical considering the travel purpose, timeframe available to accomplish the travel mission, available transportation and facilities, and time away from other duties.
- D. For In-County Travel:
 - i. Advance authorization by the Board of Supervisors as a representative or alternate to a committee or commission ~~by the Board Chair~~ is required for any travel reimbursement.
 - ii. Lodging and Meal reimbursement are not reimbursable for in county travel unless necessary for the safety of the member due to weather or other travel hazards.
 - iii. The Board Member(s) attending shall report to the Board of Supervisors regarding the travel at the next Board Meeting.

E. For Out-of-County Travel:

- i. Advance authorization by the Board of Supervisors as a representative or alternate to a committee or commission is required for any travel reimbursement.
- ii. Lodging will not to exceed conference rate if attending conference or government rate, whichever is less.
- iii. Meals will be reimbursed at a per diem rate as set by the Board of Supervisors by resolution.
- iv. The Board Member(s) attending shall report to the Board of Supervisors regarding the travel at the next Board Meeting.

2. Vehicle Transportation

A. Private Vehicles: The use of private vehicles is discouraged. The use of a County fleet vehicle is preferred; however, reimbursement for use of a private vehicle, when such use is necessary, may be reimbursed subject to the following:

- i. Travel by private vehicle will be reimbursed at the IRS rate for business use of a personal vehicle in effect in the County at the time of travel.
- ii. Mileage is not reimbursable if it is in addition to a per diem payment or mileage paid by the organization hosting the event, meeting or function unless specifically authorized by the Board of Supervisors.
- iii. If air or rail travel~~travel~~ would be less costly but the Board Member prefers to drive, the County will reimburse Board Member for transportation costs equal to what the cost of air/rail travel would have been, including airfare, shuttle, car rental, and mileage to the airport; transportation costs over and above that amount, as well as any extra days of lodging, meals and incidentals incurred as a result of the decision to drive will be considered a personal, not reimbursable cost.
- iv. Board Members may not claim mileage for business use of a private vehicle when the traveler is riding with someone who will be claiming reimbursement for the vehicle's use from the County or another source.
- v. Board Members mileage to the regular place of business work from home, and back, is considered commuting and may not be claimed. Regular place of business includes all regular and special meetings of the Board of Supervisors but does not include attendance as a representative or alternate member of a committee or commission, if so assigned.

- vi. Mileage in conjunction with authorized County travel to and from the authorized destination shall be based on the distance to the destination from the Board Member's home or the regular place of work, whichever is shorter.

B. County Vehicle Transportation

- i. Board Members using a County vehicle for traveling shall not be eligible for reimbursement for mileage.
- ii. Board Members required to fuel a County vehicle at their own expense may be reimbursed for the actual fuel costs subject to presentation of receipt(s).

C. Rental Vehicle Transportation

- i. Vehicles may be rented for transportation at the destination point when the traveler travels to the destination via commercial common carrier and the cost of the rental will be less than the charge for shuttle or taxi service to and from the carrier termination point to the function or hotel accommodations.
- ii. Vehicles may be rented for transportation to the destination point when the cost of the rental will be less than other reasonable and available modes of transportation.
- iii. Rental cars shall be returned to the renting location and on time to avoid additional charges.
- iv. The traveler shall waive additional vehicle insurance provided by the rental company.

3. Other Transportation Expenses

A. The following necessary transportation expenses may be claimed at actual cost when directly related to transporting the Board Member to and from the out-of-County business destination point:

- i. Taxi, rideshare services, shuttle, ferry, or public transit fares.
- ii. Parking fees.
- iii. Airport long-term parking is preferred for travel exceeding 24 hours.
- iv. Valet parking will only be reimbursed if it is required by the lodging venue. If a traveler chooses valet parking due to safety concerns or security of county vehicles and equipment when other, less expensive options are available, reimbursement will be subject to Board of Supervisors approval.
- v. Bridge or road tolls (actual cost, not including penalties or fees).
- iv. Reasonable costs for snow chain installation and removal.
- v. Other actual transportation expenses determined to be reasonable and necessary by the Board of Supervisors

4. Obtaining Reimbursement

A. All claims for reimbursement must be submitted to the Board of Supervisors no later than 90 days following travel. Claims filed after 90 days will not be reimbursed and reimbursement is deemed waived.

~~B.~~ The use of ~~automobile trip meter and/or~~ internet map calculations ~~is the~~ are legitimate methods of calculating miles for reimbursement. ~~but deductions must be made for any unnecessary travel outside the point of origin and return.~~

~~C.~~ B. All claims for reimbursement will not be paid until approved by the Board of Supervisors.

C. All claims must be made on a form adopted by the Board of Supervisors for such purpose, and must be submitted under oath.

~~D.~~

Section II: In addition to the foregoing, the purchase and/or reimbursement of the cost of supplies, equipment and other expenses associated with performing the duties of a member of the Board of Supervisors shall require approval of the Board of Supervisors prior to purchase or reimbursement.

Section III: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in the Mountain Messenger, a newspaper of general circulation published in the County of Sierra State of California.

Introduced at a regular meeting of the Board of Supervisors held on the ____ day of _____, ____, and passed and enacted this ____ day of _____, ____ by the Board of Supervisors of the County of Sierra by motion, second (/), and the roll call vote, to-wit:

AYES: Supervisors

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

SCOTT A. SCHLEFSTEIN

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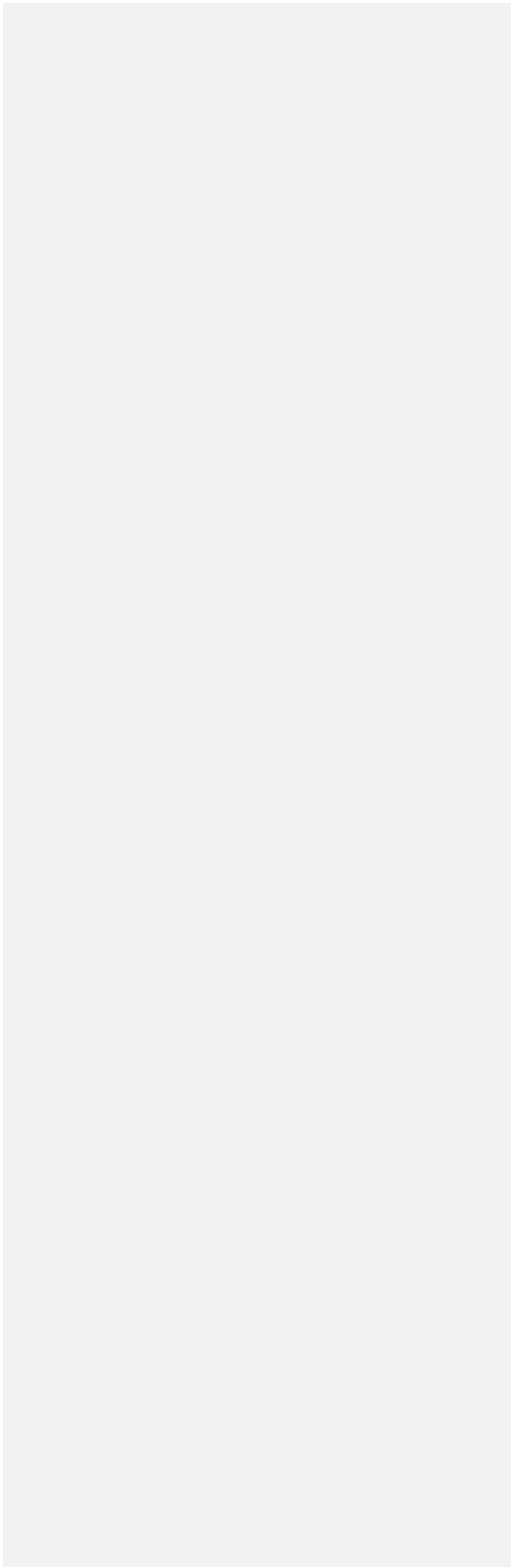
CHAIRMAN, BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

HEATHER FOSTER
CLERK OF THE BOARD

DAVID A. PRENTICE
COUNTY COUNSEL



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COUNTY OF SIERRA
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AYES: Supervisors

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

SCOTT A. SCHLEFSTEIN
CHAIRMAN, BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD

APPROVED AS TO FORM:

DAVID A. PRENTICE
COUNTY COUNSEL